

Larry Robinson

From: Clark, Jennifer S. [jclark@nd.gov]
Sent: Wednesday, May 12, 2010 9:41 AM
To: Larry Robinson
Subject: RE: ND EHDI
Attachments: 1999.PDF; 2001.PDF

Senator Robinson-

Newborn hearing screening legislation was introduced in North Dakota in 1999 and 2001. The 1999 bill would have provided that a medical provider attending a newborn infant shall have that infant's hearing tested within 90 days of birth. The 2001 bill would have provided that a medical provider attending a newborn infant shall provide the parent a referral to have that infant's hearing tested within 30 days of birth. The 1999 legislation failed in the house of introduction and the 2001 legislation was withdrawn from further consideration while still in the first house. The legislative history for both these bills is attached.

There are multiple resources available regarding state approaches to providing newborn hearing screening. For example, the National Conference of State Legislatures has collected information regarding newborn hearing screening laws. See: <http://www.ncsl.org/issuesresearch/health/newbornhearingscreeninglaws/tabid/14382/default.aspx>

Additionally, the National Center for Hearing Assessment and Management (NCHAM) Utah State University has collected information regarding newborn hearing screening. See: <http://www.infanthearing.org/screening/index.html>

Initially when we discussed this issue on the telephone, I mentioned the possibility of drafting legislation that approaches the issue as a health insurance mandate, with initial focus on the state's Public Employee Retirement System's (PERS) health insurance coverage for state employees. After performing the initial research on this matter, it may make more sense to instead approach the issue as a newborn screening service that is required to be performed when a child is born. This approach of requiring newborn hearing screening is more consistent with the approach taken in North Dakota in 1999 and 2001 and is also more in line with the approach taken by our neighboring states.

In reviewing our neighboring states, it appears Minnesota and Montana have enacted legislation addressing newborn hearing screening. See MSA 144.966 <https://www.revisor.mn.gov/statutes/?id=144.966> and MCA 53-19-402 http://data.opi.mt.gov/bills/mca_toc/53_19_4.htm

In general, the Minnesota law provides all hospitals are required to establish an early hearing detection and intervention program that among other things must test a newborn's hearing before discharge from the hospital. The Montana law requires the Department of Public Health and Human Services to implement a program that requires hospitals to complete newborn hearing screening before discharge or no later than 1 month after birth.

Please contact this office if you would like additional information regarding this issue-

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